

### **REMARKS**

Applicant thanks the Examiner for the very thorough consideration given the present application.

Claims 3-7, 9-16 and 18-20 are now present in this application. Claims 3-7, 9, 10, 12, 15, 16, 18 and 19 are amended. Claims 3, 7 and 12 are independent. Claims 1, 2, 8 and 17 are canceled without prejudice to or disclaimer of the subject matter contained therein.

Reconsideration of this application, as amended, is respectfully requested.

### **Drawings**

It is respectfully submitted that the drawings filed with the present application comply with USPTO requirements, and the Examiner is requested to provide a Notice of Draftsperson's Patent Drawing Review, Form PTO-948, with the next official communication.

### **Objection to the Title**

The title of the invention is objected to for not being descriptive. The title is amended to be clearly indicative of the invention to which the claims are directed. Accordingly, it is respectfully requested that the objection to the title be withdrawn.

**Objection to the Abstract**

The abstract of the disclosure is objected to because of an informality. The abstract is amended to correct the noted informality and to be placed in better form. Accordingly, it is respectfully requested that the objection to the abstract be withdrawn.

**Claim Rejection under 35 U.S.C. §102(e)**

Claims 1-20 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0012440 to Itoi. Applicant respectfully traverses this rejection as it pertains to the presently pending claims, and requests reconsideration thereof.

While not conceding the appropriateness of the rejection, but merely to expedite the prosecution of the instant application, claims 1, 2, 8 and 17 are canceled. Moreover, independent claim 3 is amended to recite a combination of steps in a method for reproducing data recorded onto an optical recording/reproducing medium, including "a processor for processing a program which controls the movement of the contents to a second storage medium by analyzing a copy control code of the contents and storing the contents in the second storage medium by converting the copy control code of the contents according to the result of the analysis, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted

number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium.”

Independent claim 7 is amended to recite a combination of steps in a method for moving contents, including “storing the contents in the second storage medium by converting the copy control code of the contents according to the result of the analysis, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium.”

Independent claim 12 is amended to recite a combination of steps in a method for moving contents, including “moving the contents from the first storage medium to the second storage medium if the contents can be moved as the result of the above judgment by analyzing the copy control code of the contents and, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium.”

It is respectfully submitted that the combinations of steps and elements set forth in the independent claims are not disclosed or made obvious by the applied prior art of record, including Itoi.

Itoi discloses a data decoding recording apparatus having a set top box 1 which includes a general control section 11 for controlling the entire set top box 1 and a tuner section 12 for receiving a digital broadcasting radio wave, as shown in FIG. 1. A digital interface section 14 receives a transport stream from recording apparatuses 2 to 4 and some other external apparatus and signals the transport stream to an MPEG decoding section 13. When the copy control code is "10," copying is permitted only once, and the general control section 11 either controls the optical disk drive 3 to record or controls both of the hard disk drive 2 and the optical disk drive 3 to simultaneously record the contents through the digital interface section 14. When contents whose copy control code is "10" are to be recorded onto a medium, the copy control code of the contents to be recorded is rewritten to "01" or "11" representing inhibition of copying. However, Itoi does not discuss mutual authentication performed between a first storage medium from which contents are copied and a second storage medium to which contents are copied. Itoi does not teach increasing by one time the possible number of copies of the contents based on a mutual authentication performed between a first storage medium and a second storage medium, as required by the present invention.

Therefore, Itoi does not teach or suggest "a processor for processing a program which controls the movement of the contents to a second storage medium by analyzing a copy control code of the contents and storing the contents in the second storage medium by converting the copy control code of

the contents according to the result of the analysis, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium," as recited in claim 3.

Itoi does not teach or suggest "storing the contents in the second storage medium by converting the copy control code of the contents according to the result of the analysis, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium," as recited in claim 7.

Itoi does not teach or suggest "moving the contents from the first storage medium to the second storage medium if the contents can be moved as the result of the above judgment by analyzing the copy control code of the contents and, wherein the copy control code of the contents is converted by increasing by one time the possible number of copies of the contents if the copy control code is determined to indicate a restricted number of copies as a result of the above analysis and mutual authentication is performed between the first storage medium and the second storage medium," as recited in claim 12.

For at least the foregoing reasons, it is respectfully submitted that

independent claims 3, 7 and 12 are allowable over the applied prior art of record, including Applicant's disclosed related art and Fueki. Since the dependent claims depend from allowable independent claims, they are also allowable for at least the same reasons as set forth above, as well as for the additional limitations provided therein. Accordingly, all claims should be allowable.

#### **CONCLUSION**

The stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

However, if there are any outstanding issues, the Examiner is invited to telephone Sam Bhattacharya, Reg. No. 48,107, at 703-205-8000, in an effort to expedite prosecution.

Applicant respectfully petitions under the provisions of 37 C.F.R. 1.136(a) and 1.17 for a one-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit

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Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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Attachment: Abstract of the Disclosure